

PATENT OFFICE
NOV 09 2004

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(A)**

Docket No.: 6097.P022

First Named Inventor: Ralph Blakemore

Application No.: 09/657,883

Art Unit: 3745

Filed: September 8, 2000

Examiner: White, Dwayne J.

Title: Wind Turbine Ring/Shroud Drive System

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

☐ Small entity fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity – fee \$110.00 (37 CFR 1.17(m)).

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of 1.312 Amendment (identify type of reply);
☒ has been filed previously on 05/27/2004.
☐ is enclosed herewith.

- B. The issue fee of \$_____.
☐ has been paid previously on _____.
☐ is enclosed herewith.

11/10/2004 MAHME1 00000030 09657883

01 FC:1452

110.00 OP

(Page 1 of 2)

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$__ for a small entity or \$____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 C.F.R. 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

11/4/04

Date

Ashley R. Ott
Signature

Telephone
Number: (303) 740-1980

Ashley R. Ott

Typed or printed name

55,515

Reg. No.

Enclosures: ☒ Fee Payment
☐ Reply

12400 Wilshire Boulevard, 7th Floor, Los Angeles, CA 900025
Address

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unavoidable delay

☒ Other: Petition for Revival of an Application for Patent Abandoned Unavoidably under 37 CFR 1.137(a)

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

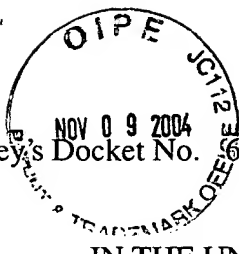
11/4/04

Date

Leah Schwenke
Signature

Leah Schwenke

Typed or printed name of person signing certificate



Attorney's Docket No. 6097.P022

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Examiner: White, Dwayne J.
Ralph Blakemore) Art Group: 3745
Application No.: 09/657,883)
Filed: September 8, 2000)
For: WIND TURBINE RING/SHROUD)
DRIVE SYSTEM)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 C.F.R. 1.137(a)

Dear Sir:

Applicants hereby petition for revival of the above-noted abandoned application. This application became abandoned on February 22, 2004.

The delay in filing the response was unavoidable and attached is a declaration stating the facts why we believe the abandonment was unavoidable. Also, attached is a check in the amount of \$110.00 as payment of fees for the Petition to Revive the Unavoidably Abandoned Patent application under 37 C.F.R. 1.17(l).

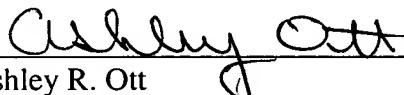
However, if the Patent Office feels that the abandonment was not unavoidable, the abandonment was certainly unintentional. In that case, please charge any necessary fees required under 37 C.F.R. 1.17(m) to revive an unintentionally abandoned patent application under 37 C.F.R. 1.137(b). Please charge our deposit account accordingly. Our deposit account number is 02-2666. In any event, please revive this patent application.

Please charge any shortages or credit overcharges to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: November 4, 2004



Ashley R. Ott
Reg. No. 55, 515

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300

FIRST CLASS CERTIFICATE OF MAILING
(37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

November 4, 2004
Date of Deposit

Leah Schwenke
Name of Person Mailing Correspondence



Signature

11/4/04
Date

FEE TRANSMITTAL for FY 2004

Effective 01/01/2004. Patent fees are subject to annual revision.

Complete if Known

Application Number 09/657,883
Filing Date September 8, 2000
First Named Inventor Ralph W. Blakemore
Examiner Name Dwayne J. White
Art Unit 3745
Attorney Docket No. 6097P022

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$ 110.00

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 790 | 2001 | 395 | Utility filing fee | |
| 1002 | 350 | 2002 | 175 | Design filing fee | |
| 1003 | 550 | 2003 | 275 | Plant filing fee | |
| 1004 | 790 | 2004 | 395 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | | (\$) |

2. EXTRA CLAIM FEES

Total Claims - 20* = X =
Independent Claims - 3 = X =
Multiple Dependent = X =

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|---|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | |
| 1201 | 88 | 2201 | 44 | Independent claims in excess of 3 | |
| 1203 | 300 | 2203 | 150 | Multiple Dependent claim, if not paid | |
| 1204 | 88 | 2204 | 44 | **Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | **Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | | | (\$) |

*or number previously paid, if greater, For Reissues, see below

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|---------------------|----------|--------------|----------|--|------------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet. | |
| 2053 | 130 | 2053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 430 | 2252 | 215 | Extension for reply within second month | |
| 1253 | 980 | 2253 | 490 | Extension for reply within third month | |
| 1254 | 1,530 | 2254 | 765 | Extension for reply within fourth month | |
| 1255 | 2,080 | 2255 | 1,040 | Extension for reply within fifth month | |
| 1404 | 340 | 2401 | 170 | Notice of Appeal | |
| 1402 | 340 | 2402 | 170 | Filing a brief in support of an appeal | |
| 1403 | 300 | 2403 | 150 | Request for oral hearing | |
| 1451 | 1,510 | 2451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | 110.00 |
| 1453 | 1,370 | 2453 | 685 | Petition to revive - unintentional | |
| 1501 | 1,370 | 2501 | 685 | Utility issue fee (or reissue) | |
| 1502 | 490 | 2502 | 245 | Design issue fee | |
| 1503 | 660 | 2503 | 330 | Plant issue fee | |
| 1460 | 130 | 2460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 790 | 1809 | 395 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 790 | 2810 | 395 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 790 | 2801 | 395 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) | | | | | |
| SUBTOTAL (3) | | | | | (\$ 110.00 |

* Reduced by Basic Filing Fee Paid

SUBMITTED BY

Name (Print/Type) Ashley R. Ott

Registration No. 55,515
(Attorney/Agent)

Complete (if applicable)

Telephone (303) 740-1980

Signature

Ashley R. Ott

Date

11/04/04